

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**MARK ANTHONY ORTEGA,**

Plaintiff,

vs.

**ENSURETY VENTURES,** a Missouri  
Limited Liability Company,

Defendant.

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**Case No. 5:24-CV-00801-OLG**

**PLAINTIFF'S FIRST AMENDED COMPLAINT**

Comes now, Plaintiff, Mark Anthony Ortega, and files this Response to the Court's Order to Show Cause, dated March 20, 2025 (ECF No. 22), regarding the failure to file the Rule 26(f) Report and joint scheduling recommendations by the March 19, 2025 deadline.

In response, Plaintiff respectfully states the following:

On March 18, 2025, Plaintiff prepared drafts of both the Joint Discovery/Case Management Plan and the Proposed Scheduling Order. These drafts were promptly emailed to Defendant's counsel, Jamey Campellone and Eliot New, at 6:34 PM on the same day, requesting their input and collaboration to finalize the documents for filing, the email is attached as **Exhibit A**. The proposed order **Exhibit B** and discovery plan **Exhibit C** are attached for reference.

It was brought to my attention from an email dated March 20, 2025 that the delay was because the defendant was out of office, the email from defendant is attached as **Exhibit A**.

Plaintiff made good faith effort to get this matter filed and brought before the court. While Plaintiff anticipates that Defendant's counsel will complete their review and contributions to the joint documents shortly, no specific date for completion has been confirmed at this time. Therefore,

Plaintiff respectfully seeks guidance from the Court. It will be filed as soon as the defendant provides feedback. Plaintiff is committed to complying with all Court orders and deadlines.

WHEREFORE, Plaintiff, Mark Anthony Ortega, respectfully requests that the Court consider this explanation as sufficient cause for the failure to timely file the required documents, discharge the Order to Show Cause, impose no sanctions and grant any additional and further relief.

Respectfully submitted,

Dated this 20<sup>th</sup> day of March 2025.

Respectfully Submitted,

/s/ Mark Anthony Ortega  
Mark Anthony Ortega  
Plaintiff  
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**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing document has been properly delivered pursuant to the Federal Rules of Civil Procedure on March 20, 2025 to the following counsel of record:

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**Attorneys for Defendant Ensurety Ventures, LLC**

/s/ Mark Anthony Ortega

Mark Anthony Ortega